

REMARKS

In response to the Office Action mailed May 4, 2005, the Applicant respectfully requests reconsideration. To further the prosecution of this Application, the Applicant submits the following remarks, has amended claims, and has added new claims. The claims as now presented are believed to be in allowable condition.

Claims 1-25 were pending in the application. By this Amendment, claims 2, 5, and 25 have been cancelled without prejudice with claim 1 amended to include the subject matter of cancelled claims 2 and 5 and claim 13 amended to include the subject matter of cancelled claim 25. Accordingly, claims 1, 3, 4, and 6-24 are now pending in this Application. Claims 1 and 13 are independent claims and the remaining claims are dependent claims. No new matter has been added by the proposed amendments.

*Claim Rejections Under 35 U.S.C. §103(a):*

Claims 1-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma (U.S. Patent No. 6,249,818). The Examiner, however, has not established a *prima facie* case of obviousness with respect to the claims. For the reasons below, the claims are patentable over Sharma because Sharma does not teach or suggest all of the claim limitations in the independent claims.

Taking the Applicant's claim 1 as an example, the claim relates to a digital data computing method that recites utilizing a set of secured instructions and secured memory local to a client to execute, on the client, a process that makes requests and that requires at least asynchronous responses to those requests to continue a first mode of operation. The method further recites generating, on a server, those responses external to the process and supplying the responses to the process. The method also recites continuing the first mode of operation of the process when at least asynchronous responses are received to the requests and otherwise discontinuing the first mode of operation, such that there is no real-time dependency of that process to those responses.

Sharma, by contrast, relates to network transport driver interfacing. Sharma describes an

application program running on a computer that can dynamically link to, and obtain transport services from, multiple transport service providers (e.g., transport stack/drivers) also running on the computer, thereby allowing the application program to communicate over a network. During operation of Sharma, the application program transmits an original service request to a transport service provider. The transport service provider converts the original service request to a transport service request having a particular format (e.g., a prespecified format associated with the transport service provider). A call back is then delivered to the application program to indicate completion of the requested service. In the period after the receipt of the original service request and prior to the delivery of the call back, the application program is free to engage in activities other than waiting for completion of the requested service.

The Examiner has not established a *prima facie* case of obviousness with respect to independent claim 1 because Sharma does not teach or suggest "utilizing a set of secured instructions and secured memory local to a client to execute, on the client, a process that makes requests and that requires at least asynchronous responses to those requests to continue a first mode of operation" as claimed by the Applicant. In Sharma, an application transmits an original service request to a transport service provider to obtain transport services from the provider. While a message is passed from an application to a transport service provider in Sharma, there is no disclosure or suggestion in Sharma of the application "utilizing a set of secured instructions and secured memory" to execute the application and make a request, such as claimed by the Applicant in claim 1. Additionally, claim 13 recites "code executed on a client utilizing a set of secured instructions and secured memory local to the client, where the instructions and memory are secured either by hardware or software" Again, Sharma does not teach or suggest utilizing a set of secured instructions and secured memory local to the client to execute code on the client, as claimed by the Applicant.

Furthermore, claims 1 and 13 generally recite a process or code executed on a client that makes requests and that requires at least asynchronous responses to those requests to continue a first mode of operation. Claims 1 and 13 also recite "generating, on a server, those responses external to the process and supplying the responses to the process." As such, the methods of claims 1 and 13 recite steps performed on separate computerized devices. By contrast, as indicated in Fig. 1 of Sharma, the application 24 and the transport service provider (e.g.,

transport stack/driver) 30 both operate as part of software 18 running on a computer 14a. During operation, the messages exchanged between the application 24 and the transport service provider 30 remain within the computer 14a and are not exchanged between separate computers (e.g., the client and server), such as claimed by the Applicant. Furthermore, in Sharma, because the exchange of messages between the application 24 and the transport service provider 30 are performed to allow the application 24 operating on computer 14a to communicate over a network to other computers, such as computers 14b and 14c, it would not be obvious for the network transport driver interfacing of Sharma to operate between two distinct computers (such as between computer 14a and 14b) over a network.

As such, because Sharma does not teach or suggest all of the claim limitations in the independent claims, the Examiner has not established a *prima facie* case of obviousness with respect to independent claims 1 and 13. Independent claims 1 and 13, therefore, are patentable over Sharma for at least the above reasons and should be allowed to issue. Further, claims 3, 4, and 6-12, which depend from claim 1, claims 14-24, which depend from claim 13, are also allowable for the same, and other, reasons.

**Conclusion**

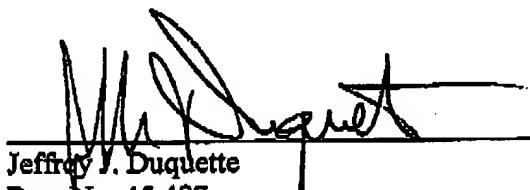
In view of the above, the Applicant respectfully submits that the claimed invention is patentable. The Applicant therefore kindly requests consideration of all claims in light of the above remarks and allowance thereof.

The Applicant hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 141449.

The Examiner is also kindly requested to contact the undersigned if such would expedite examination and allowance of the application.

Respectfully submitted,

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